IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Bail Appl..No. 4010 of 2007(K)

CRIME 33/07 OF WADAKKANCHERRY EXCISE RANGE

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PETITIONER : ACCUSED NO.2:

KUNJUNNY @ KUMARAN, 47 YEARS,
S/O.CHANGAN, KOKUMARIYIL HOUSE,
MANALITHARA VILLAGE, PARAPADAM DESOM,
THALAPPILLY TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/07/2007, A/W BA 4025/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.Nos. 4010 & 4025 of 2007

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Dated this the 3rd day of July, 2007

O R D E R

Application for regular bail. The petitioners are accused 1 and 2 in a crime registered under the provisions of the Kerala Abkari Act. The crux of the allegations is that they were found to carry 10 litres of arrack in their possession. The first accused was arrested on 7.6.2007. The second accused took to his heels and he surrendered later on 12.6.2007. They continue in custody from the respective dates of their arrest. The learned Prosecutor submits that both the accused are involved in other similar crimes - one each.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions. In the nature of the antecedents of the petitioners, I find merit in the submission of the learned Prosecutor that the Investigators may be given some further time to complete the investigation.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 13.7.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) They shall make themselves available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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